

FILED

FEB 28 2007

[Signature]
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

RAINBOW PLAY SYSTEMS, INC.,

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CIV. 06-4166

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CIV. 06-4191

Plaintiff,

*

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v.

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BACKYARD VENTURES
MANAGEMENT, LLC, BACKYARD
VENTURES, INC., and BACKYARD
VENTURES, LP d/b/a BACKYARD
ADVENTURES,

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Defendants.

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ORDER RE:
MOTIONS TO CONSOLIDATE

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RAINBOW PLAY SYSTEMS, INC.,

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Plaintiff,

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v.

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PLAYGROUND, INC. d/b/a
LEISURE TIME PRODUCTS,

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Defendant.

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Plaintiff Rainbow Play Systems, Inc., filed a motion to consolidate the two above-entitled related proceedings in both CIV. 06-4166 (Doc. 42) and CIV. 06-4191 (Doc. 27). Defendants Backyard Ventures Management, LLC, Backyard Ventures, Inc., and Backyard Ventures, LP d/b/a Backyard Adventures have filed a consent to Plaintiff's motion to consolidate in CIV. 06-4166 (Doc. 53). Defendant Playground, Inc. d/b/a Leisure Time Products filed a consent to Plaintiff's motion to consolidate in CIV. 06-4191 (Doc. 37). Since common questions of law and fact are involved, consolidation is appropriate under FED. R. CIV. P. 42(a). Accordingly,


IT IS ORDERED:

1. that the motions to consolidate are granted; and

2. that all future filings in both cases be made in CIV. 06-4166.

Dated this 28th day of February, 2007.

BY THE COURT:


Lawrence L. Piersol
United States District Judge

ATTEST:
JOSEPH HAAS, CLERK

BY: Shelly Margulies
(SEAL) DEPUTY